



Translation

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WO-AR2003-38	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/015500	International filing date (day/month/year) 03 December 2003 (03.12.2003)	Priority date (day/month/year) 04 December 2002 (04.12.2002)
International Patent Classification (IPC) or national classification and IPC G01N 27/327		
Applicant ARKRAY, INC.		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand 28 June 2004 (28.06.2004)	Date of completion of this report 20 October 2004 (20.10.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/015500

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☐ the description:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/15500

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

1-13

YES

Claims

NO

Inventive step (IS)

Claims

YES

Claims

1-13

NO

Industrial applicability (IA)

Claims

1-13

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

Document 1: Microfilm of the specification and drawings annexed to the written application of Japanese Utility Model Application No. 38369/1990 (Laid-open No. 128848/1991), (Horiba, Ltd.), 25 December, 1991 (25.12.91)

Document 2: JP, 8-148209, A (Matsushita Electric Industrial Co., Ltd.), 7 June, 1996 (07.06.96)

Document 3: JP, 2002-177210, A (Asahi Optical Co., Ltd.), 25 June, 2002 (25.06.02)

Document 4: JP, 4-357449, A (Matsushita Electric Industrial Co., Ltd.), 10 December, 1992 (10.12.92), & US, 5320732, A

Claims 1-13

Document 1 (page 2, line 5 to page 5, line 5; Figs. 7-10, etc.) cited in the ISR describes an analyzing apparatus wherein a reaction site containing a sample liquid is provided, and an analyzing instrument having first and second electrodes is attached to the said site for use, wherein the said analyzing apparatus has (a) a connector part to put the said first and second electrodes in contact and (b) an analysis circuit to perform analysis based on the information on the said sample liquid obtained from the said analyzing instrument via the connector part, wherein the said analyzing apparatus has a protection circuit containing resistors and capacitors whereby external disturbance noise input via the said connector part is absorbed.

Generally, a technology of applying voltage in an analyzing apparatus is a well-known technology (see JP, 7-140114, A, document 4, and so on, if necessary), and whether a protection circuit is provided in a signal line connecting the connector part with an analysis circuit or in the connector part is merely a matter of choice that a person skilled in the art could have decided as required. A constitution wherein an analyzing apparatus is made mobile is merely a matter of design variation when an analyzing apparatus is constituted.

Document 2 cited in the ISR describes a technology using coils, varistors, etc., to deal with noise; document 3 (page 4, right column, lines 5-8) cited in the ISR describes a technology using a ferrite core as an element to deal with noise, and document 4 cited in the ISR describes an analyzing apparatus whereby the glucose concentration in blood is calculated based on current values obtained by applying voltage to a reaction layer by means of the opposite electrode and measurement electrode, and a person skilled in the art could have easily conceived of the idea of adopting coils, varistors and ferrite cores in a protection circuit in document 1 and the idea of making the analyzing apparatus of document 1 an analyzing apparatus for measuring glucose in blood.

Accordingly, the subject matters of claims 1-13 do not appear to involve an inventive step.